



Attorney Docket No.: BGI-130CP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Markus Pompejus *et al.*

Serial No.: 09/604,693

Filed: June 27, 2000

For: *"Corynebacterium Glutamicum Genes Encoding Proteins Involved in DNA Replication, Protein Synthesis, and Pathogenesis"*

Attorney Docket No.: BGI-130CP

Group Art Unit: 1645

Examiner: Not Assigned

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

REQUEST FOR CORRECTION OF FILING RECEIPT

Dear Sir:

The Filing Receipt for the above-identified patent application does not list the Applicants correctly, and it omits their residence addresses. Please correct the Filing Receipt to reflect the correct Applicant information as follows:

Markus Pompejus, Freinsheim, Germany;
Burkhard Kröger, Limburgerhof, Germany;
Hartwig Schröder, Nussloch, Germany;
Oskar Zelder, Speyer, Germany;
Gregor Haberhauer, Limburgerhof, Germany.

Please also correct the recitation of "Total Claims" to read --59--.

A copy of the Filing Receipt with the changes noted thereon is submitted herewith. A corrected Filing Receipt (PTO-103P) is respectfully requested.

Certificate of First Class Mailing 37 CFR 1.8(a)

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231 on:

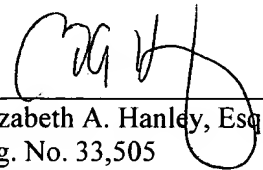
October 13, 2000

Date

Elizabeth A. Hanley, Esq., Reg. No. 33,505

Respectfully submitted,

LAHIVE & COCKFIELD, LLP


Elizabeth A. Hanley, Esq.
Reg. No. 33,505
28 State Street
Boston, MA 02109
Tel. (617) 227-7400

FILING RECEIPT



OC00000005327020

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: ASSISTANT SECRETARY AND
COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/604,693	06/27/2000	1645	0	BGI-130CP	-	29 59	15

000959
LAHIVE & COCKFIELD
28 STATE STREET
BOSTON, MA 02109

Date Mailed: 08/16/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

~~Markus Pompejus, Residence Not Provided;~~

Markus Pompejus, Freinsheim, Germany
Burkhard Krüger, Limburgerhof, Germany
Hartwig Schröder, Nassloch, Germany
Oskar Zelder, Speyer, Germany
Gregor Haberhauer, Limburgerhof, Germany

Continuing Data as Claimed by Applicant

THIS APPLN CLAIMS BENEFIT OF 60/144,448 07/16/1999
WHICH CLAIMS BENEFIT OF 60/149,402 08/17/1999

Foreign Applications

If Required, Foreign Filing License Granted 08/16/2000

Title

Corynebacterium glutamicum genes encoding proteins involved in DNA replication, protein synthesis, and pathogenesis

Preliminary Class

435

Data entry by : HARRISON, BRUCE

Team : OIPE

Date: 08/16/2000

RECEIVED
LAHIVE & COCKFIELD
DOCKET DEPT.

AUG 21 2000

RETRIEVED: 8/29/00

FORWARDED: 9/1/00

SECTOR #
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&
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DeANN FORAN SMITH**

* Admitted in NY only
** Admitted in MI only
*** Passed the Patent Bar Examination

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RICHANAND
GARY W. PLOURDE II

October 13, 2000

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 09/604,693
Entitled: *Corynebacterium Glutamicum Genes Encoding Proteins Involved In
DNA Replication, Protein Synthesis, and Pathogenesis*
Filed: June 27, 2000
Inventors: Markus Pompejus et al.
Our Reference: BGI-130CP

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Notice To File Missing Parts of Nonprovisional Application (in duplicate);
2. Executed Declaration, Petition and Power of Attorney for Patent Application;
3. Copy of Formalities Letter;
4. Check for \$2,772.00 (including \$710 filing fee, \$1,662 extra claim fee, \$270 multiple dependent claim fee, and \$130 surcharge);
5. Request for Correction of Filing Receipt;
6. Copy of Filing Receipt with marked-up corrections; and
7. Return postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box Missing Parts, Washington, DC 20231 on:

October 13, 2000
Date

Elizabeth A. Hanley, Reg. No. 33,505

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Elizabeth A. Hanley
Reg. No. 33,505



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Markus Pompejus, *et al.*

Serial No.: 09/604,693

Filed: June 27, 2000

For: "Corynebacterium Glutamicum Genes Encoding Proteins Involved in DNA Replication, Protein Synthesis, and Pathogenesis"

Attorney Docket No.: BGI-130CP

Group Art Unit: 1645

Examiner:

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

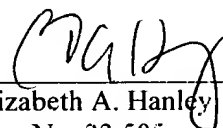
Certificate of First Class Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

October 13, 2000

Date of Signature and of Mail Deposit

By:


Elizabeth A. Hanley
Reg. No. 33,505
Attorney for Applicants

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Dear Sir:

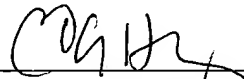
Responsive to the Notice to File Missing Parts of Nonprovisional Application dated August 16, 2000, Applicants submit herewith the executed Declaration, Petition and Power of Attorney for Patent Application for the above-identified patent application. A check in the amount of \$2,772.00 is enclosed to cover the total amount owed by Applicants, including \$130.00 surcharge, \$710.00 basic filing fee, \$1,662.00 additional claim fee, and \$270.00 multiple dependent claim fee, based on large entity status. A copy of the Formalities Letter is also enclosed.

Applicants' attorney notes that the claim fee calculation in the Formalities Letter is incorrect. We calculate **39** total claims over 20, and **12** independent claims over 3.

The Commissioner is hereby authorized to charge payment of any fees under 37 C.F.R. 1.16 and 1.17 during the pendency of this application or credit any overpayment to Deposit Account No. 12-0080.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. A duplicate of this letter is enclosed.

Respectfully submitted,



Elizabeth A. Hanley
Registration No. 33,505
Attorney for Applicants

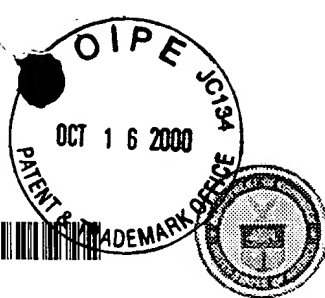
LAHIVE & COCKFIELD, LLP
28 State Street
Boston, MA 02109
Tel. (617) 227-7400

Dated: **October 13, 2000**

FORMALITIES LETTER



OC00000005327021

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

3

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/604,693	06/27/2000	Markus Pompejus	BGI-130CP

000959
LAHIVE & COCKFIELD
28 STATE STREET
BOSTON, MA 02109

Date Mailed: 08/16/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1628.
 - \$432 for 24 total claims over 20.
 - \$936 for 12 independent claims over 3.
 - \$260 for multiple dependent claim surcharge.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 2448.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

10/18/2000 HNDOR1 00000014 09604693

01 FC:101 710.00 OP
02 FC:102 960.00 OP
03 FC:103 702.00 OP
04 FC:104 270.00 OP
05 FC:105 130.00 OP